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July 24, 2018

Ms. Marlene S. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Room 2-B450
Washington, DC 20554

**Re: MB Docket No. 18-214
GN Docket No. 12-268
Ex Parte Filing**

Dear Ms. Dortch:

This is to advise that on Monday, July 23, the undersigned, counsel for the Mohave County, Arizona Board of Supervisors, met with Jean Kiddoo, Hillary DeNigro, Chas Eberle, Joyce Bernstein, Maria Mullarkey, Pamela Gallant, Kim Matthews and Shaun Maher (by phone), of the Commission's staff and, separately, with Alison Nemeth, Chairman Pai's Media Advisor, regarding the draft Notice of Proposed Rulemaking in the referenced proceedings.

The purpose of the meeting was to discuss the issue of reimbursement for costs associated with microwave relay facilities required in order to maintain the existing television service provided by the County's television translators.

By way of background, Mohave County is one of the largest in the United States with over 13,400 square miles. It is also one of the most sparsely populated with only 200,186 residents according to the 2010 Census. The County is high desert terrain with small, remote communities. It includes much of the Grand Canyon. Many of its residents are retirees on fixed incomes who depend on the County's many translators for their only source of television programming, as well as emergency alert information. There is only one full-service

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station in the County, that being KMOH-TV licensed to Kingman. The translators are used to bring in distant signals from Phoenix and Las Vegas.

Microwave relay facilities are needed to avoid disruption to existing television service occasioned by the Commission's reduction in UHF spectrum. As a result of the displacement pursuant to the incentive auction and the Commission's earlier reductions in UHF channels, certain of the County's translator stations would be required to transmit to viewers on the very same channels, or immediately adjacent channels, used to receive distant full-service station signals. The relays are used to avoid the mutually-destructive interference which would otherwise result. See statement of Robert DuTreil, Jr., attached.

The microwave facilities in question are already existing (call signs WPOQ863, and -864; WPOQ882 and -884), but will need to be modified to conform to the two new channels required for feeding the translators at Oatman and Goat Hill.

It was further referenced that, while translators and their relays are secondary, the Commission previously has allowed reimbursement for County microwave relays (and as it now proposes to do for secondary LPFM stations). *Second Memorandum Opinion and Order* in WT Docket No. 02-55, FCC 07-102, 22 FCC Rcd 10467 (2007), at para. 63.

The equipment for the new channels is made by Vislink/MRC microwave. The rest of the County network uses that same equipment which allows the easiest repairs when issues arise. The quote provided is approximately \$70,000 total which, I am advised, is neither the most nor the least expensive available; it is reliable and compatible with the County's system.

The Reimbursement Expansion Act, 47 U.S.C. Section 1452(k)(1), prescribes that costs "reasonably incurred" in order for a television translator to "relocate its television service from one channel to another or otherwise modify its facility ...," are reimbursable. Moreover, the Commission has stated that auxiliary facilities like these are "a critical part of the broadcasting system by which emergency information and entertainment content is provided to the American public." *800 MHz Report and Order* in WT Docket No. 02-55, FCC 04-168, 19 FCC Rcd 14969 (2004) at para. 250.

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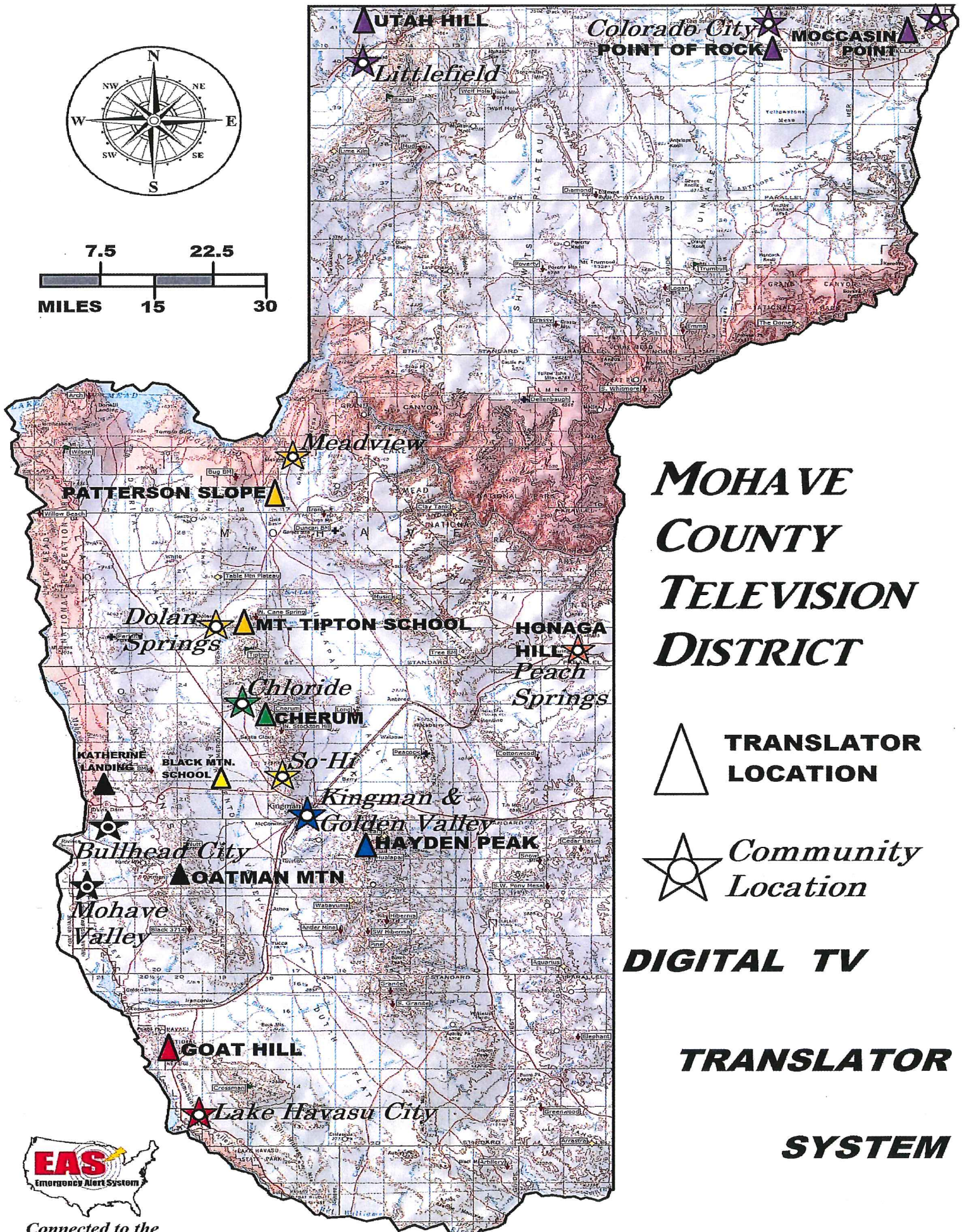
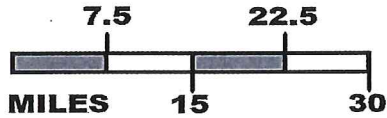
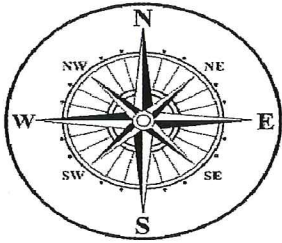
Reimbursement for the County's microwave relay costs is warranted to help preserve television service for these remote communities, and is within the scope of the Commission's statutory authority as the County seeks to comply with the latest re-packing of the UHF band.

Respectfully submitted,



William K. Keane
Its Counsel

cc: Joyce Bernstein
Hillary DeNigro
Chas Eberle
Pamela Gallant
Jean Kiddoo
Shaun Maher
Kim Matthews
Maria Mullarkey
Alison Nemeth



MOHAVE COUNTY TELEVISION DISTRICT



**TRANSLATOR
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OVERVIEW OF DISPLACEMENT CHANNEL PLANNING FOR MOHAVE COUNTY TRANSLATOR SYSTEM

Due to the FCC's Incentive Auction and the re-allocation of UHF Television Channels 38-51, it was necessary for the Mohave County translator system to be reconfigured. Eighteen (18) UHF translators in the system are out-of-core; displacement channels are required for each of them. Such a system reconfiguration is not a trivial task as new channels need to be compatible with the channels not subject to displacement and with channels assigned to other television stations in the region.

The attached map shows an overview of the Mohave County translator system with all of its receive points and transmission and re-transmission points. The displaced channels are located at a number of these transmission point locations.

As indicated on the attached map, Smith Peak is the primary off-air TV station receive point for the Mohave County system. The off-air channels are then relayed via microwave to the Hayden Peak transmission point.

The Hayden Peak transmission point is the primary distribution point for the other translators in the Mohave County system, in addition to being a translator transmission point itself for viewers in the Kingman, AZ area. Five translator stations at Hayden Peak are out-of-core. For these stations a detailed search was conducted of all possible channel options.

After a thorough search, it was ultimately determined that Channels 10, 18, 29, 33 and 35 were the only channels available for the Hayden Peak out-of-core translator stations that would also avoid interference conflicts with off-air reception points within the system to the greatest extent possible. Applications were filed for these displacement channels at the Hayden Peak (Kingman) location.

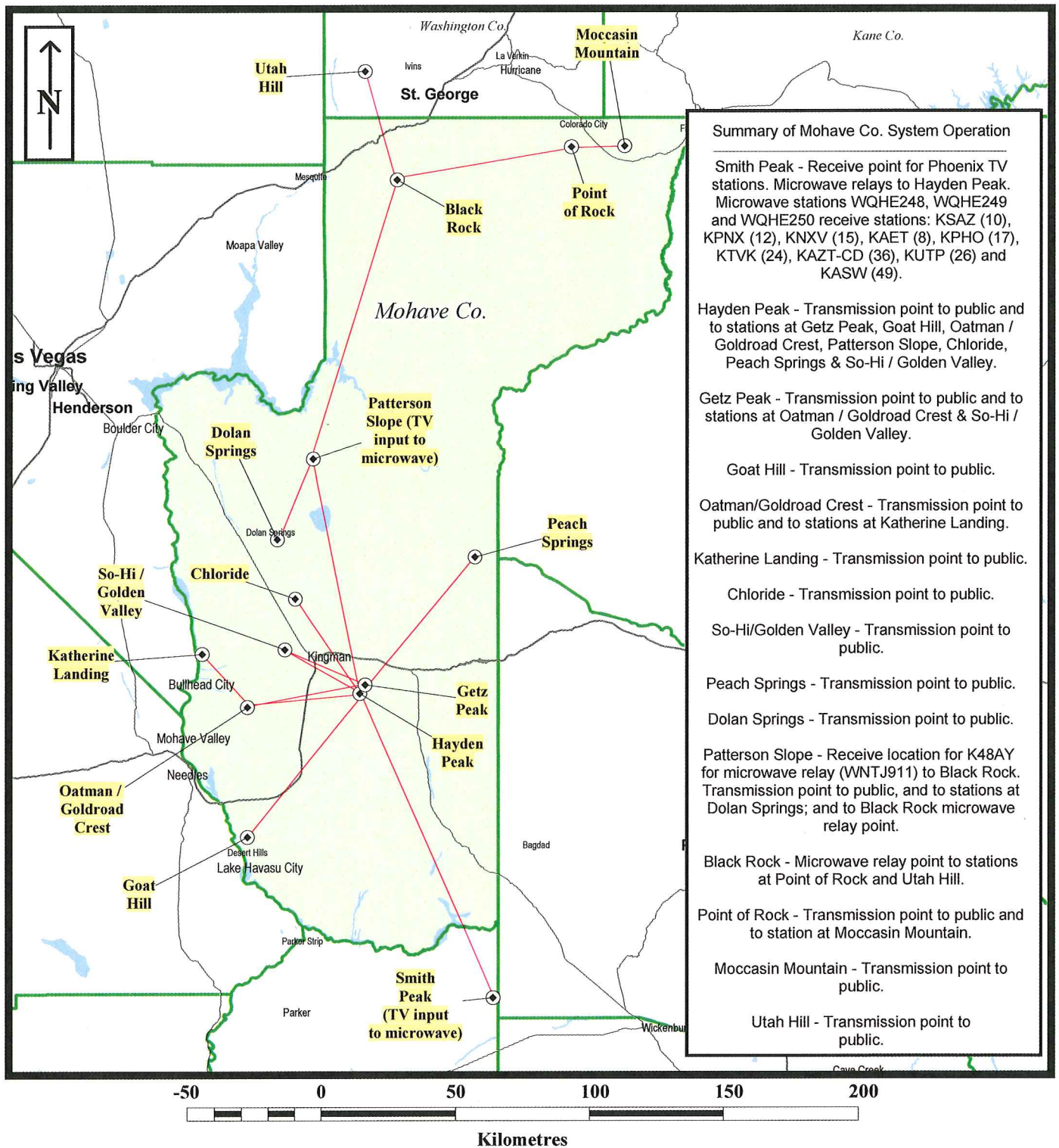
However, due to the limited frequency spectrum available within the new core band of television channels, there remain inter-system interference concerns at two particular translator reception locations. These are the Oatman and Goat Hill relay locations, which receive their over-the-air signal directly from the Hayden translator station. The Oatman and Goat Hill translators are not subject to displacement and, in order to avoid interference to other County translators, it is necessary that the Oatman and Goat Hill translators continue to re-broadcast on the same, or an adjacent, channel being fed from Hayden Peak. At the same time, co-channel and, in most cases, adjacent-channels, cannot be used for both reception and transmission. Thus, the County's existing microwave relays, modified for the new channels, would be used to feed the translators at Oatman and Goat Hill to avoid the mutual interference problem.

In conclusion, there are insufficient, practical options to accommodate this additional displacement. This necessitates use of the proposed microwave relay facilities.



Robert DuTreil, Jr., PE

Dated: 24 July 2018



OVERVIEW OF MOHAVE COUNTY TRANSLATOR SERVICE SYSTEM

duTreil, Lundin & Rackley, Inc. Sarasota, Florida